Criminal Appeal No. 164/2001
(Old No. 613/1986)

Hon'ble J.C.S. Rawat, J.

This is an appeal against the judgment and order dated 22.11.1985 passed by II Additional Sessions Judge convicting the accused u/s 376 (2) I.P.C. and sentencing him for a period of 10 years R.I. and to pay a fine of Rs. 500/-. It was further directed that in default of payment of fine, the appellant shall undergo R.I. for a term of four mounts. The accused was in jail and jail appeal was preferred. Thereafter, the accused-appellant was released on bail.

The appeal was filed before the Allahabad High Court and it was received on transfer from there. Notice was sent to the appellant by the registry and it is reported that the appellant had died six years back and the C.J.M. has annexed the certificate of Up-pradhan, Gram Panchayat, Juraka, Kashipur and the other villagers had also made the same endorsement.

In view of the above, as the sole appellant has died, the appeal is dismissed as abated.

(J.C.S. Rawat, J.)

Dt. : 19.04.2006
Shiv